

Draft
BAY-DELTA ADVISORY COUNCIL
MEETING SUMMARY
September 17, 1999
Red Bluff, CA Community/Senior Center

Major Outcomes

- Watershed Program - BDAC received its first report from the Watershed Work Group. Discussion between BDAC members, Work Group representatives and CALFED staff raised issues concerning funding of the Program, the need for more and better monitoring data, and use of the program to coordinate CALFED and other agency and local efforts.
- Ecosystem Restoration Program - BDAC concurred with the project selection process proposed by staff and the Ecosystem Roundtable. In doing so, the Council delayed its decision on the FY 2000 priorities and projects until the October 28 meeting. BDAC generally supported additional FY 1999 funding for watershed projects. Members endorsed the list of projects proposed by staff, subject to scientific review. If, as a result of the review, the list of projects changes BDAC will review the revised list at its October 28 meeting.
- Governance - Interim -- BDAC agreed that eight members would represent the Council at each CALFED Policy Group meeting. The chair and vice chair would be "standing" representatives. The remaining six would be selected by the chair and vice chair on a rotating basis, using Policy Group meeting agenda items as a guide.
- Long Term -- Due to the need for additional deliberations by the Governance Work Group, BDAC will consider a recommendation on a long term CALFED governance proposal at its October 28 meeting.

Welcome and Chair's Report (Chair Mike Madigan)

Chair Madigan opened the meeting at 9:15 a. m. and thanked those who organized the September 16 tour of Battle Creek and evening reception. BDAC member Robert Meacher and Tehama County Supervisor Charles Willard welcomed the Council to Red Bluff. The supervisor informed BDAC of outreach efforts between rural counties and other stakeholders.

Executive Director's Report (Lester Snow)

CALFED Executive Director Lester Snow reviewed the September 14, 1999 Executive Director's report handed out at the meeting with BDAC members Stu Pyle and Ann Notthoff. Lester Snow and BDAC members Hap Dunning and Alex Hildebrand discussed the report in the context of the August 30, 1999 letter from the Environmental Water Caucus, and particularly with reference to the Caucus' recommendation to develop a work plan for the Environmental Water Account.

Watershed Program (Watershed Work Group Co-Chairs, Members and Staff)
Presentation

Watershed Work Group Co-chairs Robert Meacher and Martha Davis, together with Watershed Program Manager John Lowrie, provided an overview of Work Group activities.

Watershed Work Group members presented descriptions of selected watersheds and explained how those watersheds relate to the Bay-Delta. Gary Nakamura (U.C. Davis Cooperative Extension/Shasta Tehama Bioregional Council) provided an overview of how the Watershed Program can integrate with the rest of the CALFED Program. Lynn Barris (Cherokee Watershed Group) explained that her group's major issues are the quality and health of the Butte County aquifer and potential effects of transferring water outside the basin. She emphasized the need to work with the local community to implement ecosystem restoration and water transfers projects.

Otis Wollan (Placer County Water Agency) explained the benefits that certain forest management practices have on improving or maintaining Bay-Delta water quality and maintaining existing storage reservoirs. Caitlin Cornwall (Sonoma Ecology Center) stated that the Sonoma Creek watershed supports a healthy population of native fishes, none of the creeks are dammed and that efforts to improve the watershed can benefit Delta fisheries. Jim Cornelius (Calaveras County Water District) explained that reducing water pollution is a big issue in his watershed and that they are attempting to coordinate with CALFED and non-CALFED agencies, such as the Department of Health Service, to solve their problems and improve San Joaquin river waters.

Nettie Drake (Panoche/Silver Creek Watershed) is working with local landowners to address water quality, drainage, erosion and sedimentation problems in the San Joaquin River watershed. She explained how watershed issues in the San Joaquin system are different than Sacramento River system issues. Conner Evert (Southern California Watershed Alliance) explained that there are 52 local groups representing 27 coastal rivers and creeks that are trying to improve southern California water resources and therefore reduce reliance on water imported from outside the basin.

Co-Chairs Davis and Meacher summed up discussion by thanking CALFED staff for their hard work and emphasizing that the Watershed Program links with the CALFED Water Quality, Ecosystem Restoration and Water Use Efficiency programs and that providing advice on establishing funding priorities and implementing the Watershed Program Plan are the next steps for the Work Group.

Discussion

- Vice Chair McPeak mentioned the need to fund watershed projects, taking into consideration environmental needs. BDAC member Stu Pyle discussed with Ms. Davis and Mr. Everts the pros and cons of centralized and decentralized management and the need for collecting and interpreting adequate hydrologic data. Mr. Lowrie added that CALFED's Comprehensive Monitoring and Research Program will help fill some monitoring gaps.
- BDAC members Roberta Borgonovo and Ann Notthoff complimented the Work Group on the presentation, mentioned the need to coordinate watershed activities with other Program actions and supported additional funding for projects. Support for expanding the CALFED solution area to include North San Francisco Bay was also mentioned. Mr Lowrie explained that the Watershed Program has broader focus than the ERP, in terms of objectives and geographic scope. Lester Snow stated that integration has begun by including watershed projects in the Ecosystem Restoration project solicitation and approval process.
- Mr. Wollen, Mr. Evert and Ms. Notthoff discussed that watershed projects can address other issues such as air and water quality and that project implementation will be decentralized because land uses are locally controlled. Mr. Nakamura noted that many watershed groups predate CALFED, the Watershed Program is coordinating the groups and that administrative costs, due to local implementation, can be limited.
- Mr. Nakamura, Ms. Drake, Mr. Hildebrand, and Federal representative Alf Brandt discussed the merits of using local experts and funding urban and rural programs to further regional, state and national objectives. Mr. Evert mentioned that environmental justice and urban water groups can indeed contribute towards the solution.
- Mr. Wollen, Ms. Cornwall, Mr. Evert, Mr. Cornelius, Mr. Pyle, Mr. Izmirian and Mr. Meacher discussed the need for quantifying results, good monitoring data and effective interpretation of the data to address critical questions on sedimentation, hydrology and forest management practices.
- BDAC member Frances Spivy-Weber and Ms. Drake discussed approaches for effectively coordinating diverse groups and interests.
- BDAC member Rosemary Kamei, Mr. Lowrie and Ms. Davis discussed the need for CALFED to avoid duplication of effort by encouraging sharing of tools, knowledge, and efforts between watershed groups and state and federal agencies. Ms. Barris, Mr. Nakamura and Mr. Evert discussed how watershed programs will encourage an holistic approach to addressing issues. Mr. Raab mentioned that stated and federal programs designed to address

San Francisco Bay issues are poorly coordinated. Ms. Borgonovo and BDAC member Michael Schaver emphasized that local organizations, including urban environmental justice groups and tribes can provide data collection and other types of assistance.

Public Comment

Dennis Fox (OSCC) suggested solutions for watershed problems. Mr. Meacher invited him to the next Watershed Work Group meeting.

Chuck Dejournette (Tehama Fly Fishers) expressed concern for the health of anadromous fisheries.

Laurel Ames (Sierra Nevada Alliance) announced the availability of the Alliance's Watershed Council tool kit.

Gary Bobker (San Francisco Bay Institute) emphasized that the Environmental Water Account and Integrated Storage Investigation must be conducted in the context of the Water Management Strategy and Ecosystem Restoration Program (ERP).

Ecosystem Restoration Program FY 2000 Priorities (Wendy Halverson Martin, Dick Daniel)

Presentation — Project Selection Process

Restoration Coordinator Wendy Halverson Martin referred to materials in the BDAC packet and reviewed the proposed process for selecting future ERP projects. She reminded BDAC that eligible projects for FY 2000 are those which were solicited during FY 1999. She asked BDAC to concur with proposed project selection process. Ecosystem Roundtable co-chairs Greg Gartrell and Mr. Bobker commented that the Roundtable recommendation was to approve the proposed process. The Roundtable also recommended scientific review of the FY 2000 priorities and that the scientific panel designate projects using the FY 1999 priorities and other priorities, if appropriate.

Discussion

- Vice Chair McPeak and Ms. Martin discussed that the new process calls for standardized data collection to facilitate collection and evaluation of data.
- Ms. Notthoff and Mr. Hildebrand discussed with Ms. Martin the importance of integrating ERP actions and integrating the ERP with the Watershed and other programs to address conflicts and take advantage of synergistic effects.

- Ms. Borgonovo and Ms. Martin discussed that FY 2000 is a transition year between planning and implementation and that keeping scientific integrity and maintaining public involvement are important goals in selecting FY 2000 priorities and projects. BDAC member Hap Dunning mentioned that divergent parties studied habitat restoration and flood control issues and found that flood control measures could be initiated without harm to the environment.

Recommendation

After lunch, BDAC concurred with the process proposed by staff and recommended by the Ecosystem Roundtable.

Presentation — Proposed ERP Priorities

Ecosystem Restoration Program Manager Dick Daniel discussed the background behind and rationale for the ERP priorities and implementation plan mentioned in the BDAC packet.

Discussion

- BDAC member Byron Buck and Mr. Daniel addressed proposed habitat improvements in the Delta and that habitat improvements may protect fish from the effects of the pumps in the South Delta. Mr. Belza and Mr. Daniel clarified that land acquisition will be done by private and public organizations. Mr. Pyle and Mr. Daniel explained that some acquisition has already taken place and some will occur after the programmatic EIS/EIR is certified and the Record of Decision (ROD) is signed. For example, lands along the Cosumnes River were relatively easy to acquire because there was a clear need for the acquisition and there is little infrastructure or physical improvements on the land.
- Mr. Raab, Vice Chair McPeak, and Ms. Borgonovo discussed with Mr. Daniel the need to determine baseline flows in rivers and streams. It was explained that instream flow needs are so great that there is not enough water now to meet the ERP goals and meet the demands of water users. It was pointed out that an additional 1.2 maf are needed over the long term. It was also mentioned that effects of the Bay-Delta Accord and other agreements and laws on water flows should be studied and will be assessed in the Water Management Strategy.
- Mr. Hildebrand and Mr. Daniel discussed the need to involve local technical experts, including engineers, biologists and others who have expertise in hydrology and water quality issues.
- Mr. Meacher discussed with Mr. Daniel and Mr. Snow whether the ERP priorities distinguish between upper and lower watersheds. Both parts of the watershed are included in the

proposed priorities, however, the priorities focus on undammed watersheds, removal of barriers and other actions that focus on recovery of threatened and endangered species.

- Vice Chair McPeak asked for a team to focus on water hydrology and Mr. Izmirian asked that CALFED staff reflect the BDAC concerns in future drafts of the implementation plan.

Public Comment

Paul Rogins (Yolo County Resource Conservation District) recommended that CALFED actively seek assistance from the agricultural community as it implements the ERP.

Presentation — Proposed FY 1999 Watershed Projects

Deputy Attorney General Mary Scoonover asked BDAC members to declare conflicts of interest with any of the watershed projects proposed for FY 1999 funding. Descriptions of the projects were provided in the BDAC meeting packet. Ms. Notthoff declared a possible remote interest on one project.

Ms. Martin and Mr. Lowrie provided an overview on the CALFED Policy Group decision to consider for funding more projects from the 1999 solicitation and the Ecosystem Roundtable recommendation.

Ecosystem Roundtable Co-chair Bobker expressed universal Roundtable support for the Watershed Program. The Roundtable believed that while the list of proposed projects may be sound, to keep the integrity of the established project selection process, the projects should be reviewed by a panel of scientists. Mr. Bobker added that the Policy Group made an unilateral action against the Ecosystem Roundtable. Lester Snow pointed out the projects had already gone through scientific and technical review and that the process used to select the projects was sound. Roundtable Co-Chair Gartrell countered that not enough money is available to fund all worthy projects and that the FY 1999 recommendations were based on the priorities listed in the solicitation. The current list of watershed projects were deemed to be a lower priority than the FY 1999 projects that were previously funded. He suggested that the Policy Group should have discretionary funds to deal with similar situations in the future. Lester Snow noted that the Roundtable decisions are advisory and that the Policy Group decision was not a unilateral action against the Roundtable. He pointed out that of the \$260 million approved by the Roundtable in the last five years, only \$6 million worth of projects were questioned by the Policy Group.

Motion

Mr. Buck made a motion to support the Ecosystem Roundtable recommendation and Mr. Hasseltine made the second to the motion.

Discussion

- Mr. Hildebrand and Ms. Kamei supported the motion as long as the scientific panel includes technical experts in all pertinent disciplines, including engineering, chemistry, water quality and geology. Mr. Meacher asked for a resource economist and Watershed Program staff review of the panel membership. Ms. Davis supported review by the Panel. Vice Chair McPeak suggested consultation with the Watershed Work Group chairs and the Ecosystem Roundtable.

Action

The motion was passed unanimously. Vice Chair McPeak asked for a motion to support the future recommendations of the Scientific Review Panel. Mr. Meacher made the motion and Ms. Borgonovo provided the second. After much discussion on procedures, the motion was amended to endorse the current list of proposed FY 1999 watershed projects, subject to review by the scientific panel. If the panel changes the list, BDAC will review the revised list at its October 28 meeting. The motion was passed; Mr. Raab and Mr. Dunning abstained.

CALFED Governance (Mike Madigan, Hap Dunning, Kate Hansel)
Interim Governance

The CALFED Policy Group had asked BDAC to recommend a process for its ongoing participation at Policy Group meetings. Mr. Dunning (Governance Work Group Co-Chair) explained that the Work Group discussed approaches for selecting the eight BDAC representatives at CALFED Policy Group meetings. The Work Group recommended that the BDAC Chair and Vice Chair, plus two other members, be "standing" representatives at all meetings and the remaining four representatives be selected based on Policy Group meeting agendas.

Vice Chair McPeak commented that the concept was consistent with Chair Madigan's preference (the Chair had left the BDAC meeting earlier in the day) to rotate BDAC representation from meeting to meeting. However, he preferred that six seats be rotated. Mr. Buck indicated he could support either approach but questioned whether the Chair and Vice Chair schedules could accommodate attendance at each Policy Group meeting. Vice Chair McPeak noted that they may ask alternates to attend in their place.

Action

Mr. Hildebrand moved to approve the selection of the eight representatives using the following procedure: The Chair and Vice Chair, or alternates, will attend each Policy Group meeting. The remaining six representatives will be selected by the Chair and Vice Chair, based

on the agenda items for that particular meeting. The opportunity to represent BDAC at the Policy Group meeting will be rotated among BDAC members. The motion received a second and was passed unanimously by BDAC.

CALFED Bay-Delta Program Action

Upon request from BDAC, CALFED staff will circulate a sign up sheet for the remaining Policy Group meetings in 1999 so that BDAC members can indicate their interest in attending the meetings.

Long Term Governance

Mr. Dunning presented major outcomes from Work Groups and California Environmental Trust (CET) sponsored meetings on a straw proposal for governing the CALFED Bay-Delta Program. The proposal calls for creating a state/federal commission to oversee and manage the Program. Important questions or issues are management of the ERP and the Environmental Water Account, and the likelihood of Congress approving the Commission. Policy Director Kate Hansel mentioned that the next steps are to continue dialogue on the proposal and to coordinate with Congress and the California Legislature.

Discussion

- Mr. Raab noted that a memo from Cynthia Koehler, dated August 11, expressed disagreement with the CET proposal. Mr. Hildebrand expressed concern that some agricultural interests would not be represented on the Commission and again stressed that scientific review include scientists from all relevant disciplines. Mr. Schaver expressed concern that tribal interests would not be represented. Mr. Dunning explained that tribal interests will be taken into consideration.
- Mr. Raab noted that assurances still need to be addressed and that the Commission should be independent of politics. Vice Chair McPeak noted that a Commission can not be isolated from politics and that greater engagement by state and federal agencies is needed. Ms. Notthoff asked how the proposal will be refined. Mr. Dunning stated another CET meeting was scheduled and that one of the tasks of the Commission would be to ensure that the CALFED goals are being met.

Public Comment

Assemblyman Dick Dickerson commented on the need for watershed legislation to take a holistic approach to environmental restoration and to avoid establishing a new institution to govern the CALFED Program. Mr. Raab, Vice Chair McPeak, Mr. Meacher and Assemblyman

Dickerson discussed the advantages and disadvantages of focusing restoration efforts above and below dams. Mr. Dunning and Assemblyman Dickerson discussed the need for BDAC and CALFED to go to the Legislature with solutions. The Assemblyman also expressed a need to reduce the size of government.

Vice Chair McPeak and Assemblyman Dickerson discussed the need for discussion with legislators on governance issues. Assemblyman Dickerson suggested he contact other key legislators to schedule hearings or meetings with BDAC and the Policy Group. Vice Chair McPeak also emphasized the importance of encouraging existing agencies to work together and that one approach for that is to create a Commission with membership from those agencies.

Mr. Fox commented on generating electricity from water.

Vice Chair McPeak mentioned that Tim Brick from Metropolitan Water District was in attendance.

Adjourn

Vice Chair McPeak adjourned the meeting at approximately 3:30 pm.